

“(ii) each”;

(iii) in the matter preceding clause (ii) (as so designated), by striking “while, (1) such person” and inserting the following: “during the period in which—

“(i) the person”;

(iv) in the matter preceding clause (i) (as so designated), by striking “Any person, or employee of such person,” and inserting “(A) Subject to subparagraph (B), any person (or employee of a person)”;

(4) in subsection (g), by striking “States: *Provided*, That for the purpose of this subsection” and inserting “States, subject to the condition that, for purposes of this subsection,”;

(5) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting the paragraphs appropriately;

(6) by striking the section designation and heading and all that follows through “hereof” in the matter preceding paragraph (1) (as so redesignated) and inserting the following:

“SEC. 3. EXEMPTIONS.

“(a) IN GENERAL.—Subject to subsection (b), the requirements of section 2(a)”;

(7) by adding at the end the following:

“(b) LIMITATION FOR HUMAN RIGHTS ABUSES.—The exemptions under paragraphs (3), (4), (5), and (8) of subsection (a) shall not apply to any foreign principal or agent of a foreign principal that is included on the list maintained by the Attorney General under section 5(b)(2).”.

(b) BOOKS AND RECORDS.—

(1) LIST OF FOREIGN PRINCIPALS THAT VIOLATE HUMAN RIGHTS.—Section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615), is amended—

(A) in the fourth sentence—

(i) by striking “the provisions of this section” and inserting “this subsection”;

(ii) by striking “It shall be” and inserting the following:

“(4) PROHIBITION.—It shall be”;

(B) in the third sentence, by striking “Such books and records” and inserting the following:

“(3) AVAILABILITY.—The books and records required to be maintained under this subsection”;

(C) in the second sentence, by striking “Until regulations are in effect under this section every” and inserting the following:

“(2) PERIOD PRECEDING REGULATIONS.—During the period beginning on the date of enactment of this section and ending on the date on which regulations are in effect under this section, each”;

(D) by striking the section designation and heading and all that follows through the end of the first sentence and inserting the following:

“SEC. 5. BOOKS OF ACCOUNT AND RECORDS; LIST OF FOREIGN PRINCIPALS THAT VIOLATE HUMAN RIGHTS; INCLUSION OF CRYPTOCURRENCY.

“(a) BOOKS OF ACCOUNT AND RECORDS.—

(1) REQUIREMENTS FOR AGENTS OF FOREIGN PRINCIPALS.—Subject to paragraph (2), each agent of a foreign principal that is registered under this Act shall—

“(A) maintain, during the period of service as an agent of a foreign principal, all books of account and other records with respect to the activities of the agent of a foreign principal the disclosure of which is required under this Act, in accordance with such business and accounting practices as the Attorney General, having due regard for the national security and the public interest, determines, by regulation, to be necessary or appropriate for the enforcement of this Act; and

“(B) preserve the books and records described in subparagraph (A) for a period of not less than 3 years after the date of termi-

nation of the status of the agent as an agent of a foreign principal.”; and

(E) by adding at the end the following:

“(b) LIST OF FOREIGN PRINCIPALS THAT VIOLATE HUMAN RIGHTS.—

“(1) FURNISHMENT BY STATE DEPARTMENT.—

“(A) IN GENERAL.—The Secretary of State shall provide to the Attorney General a list of, and any relevant information relating to, each foreign principal that is prohibited from receiving assistance under—

“(i) part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) by reason of the application of section 116 of that Act (22 U.S.C. 2151n); or

“(ii) part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2301 et seq.) by reason of the application of section 502B of that Act (22 U.S.C. 2304).

“(B) UPDATES.—The Secretary of State shall update the list and any related information under subparagraph (A) as the Secretary determines to be necessary and appropriate.

“(2) MAINTENANCE BY ATTORNEY GENERAL.—The Attorney General shall, for purposes of this Act—

“(A) use the list and any related information provided by the Department of State under paragraph (1) to maintain a list of all foreign principals described in paragraph (1)(A); and

“(B) share with the Secretary of State any relevant information relating to a foreign principal included on that list.”.

(2) INCLUSION OF CRYPTOCURRENCY.—Section 5 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 615) (as amended by paragraph (1)), is amended by adding at the end the following:

“(c) INCLUSION OF CRYPTOCURRENCY.—Notwithstanding any other provision of law, any reference contained in this Act to any type of loan or payment (including a disbursement, compensation, financing, a subsidy, a contribution, a subscription, aid, assistance, a fee, a charge, a fine, furnishment, or remuneration), funds (including accounts, money, income, or amounts), a thing of value, trade, or commerce shall include the use, in the applicable transaction, of cryptocurrency.”.

(3) CONFORMING AMENDMENTS.—Section 7 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 617), is amended—

(A) in the third sentence—

(i) by striking “any such agent” and inserting “any organization acting as an agent”;

(ii) by striking “In case” and inserting the following:

“(2) LIABLE PERSONS.—In the case”;

(B) in the second sentence, by striking “Dissolution” and inserting the following:

“(b) ORGANIZATIONS AS AGENTS.—

“(1) IN GENERAL.—The dissolution”;

(C) in the first sentence—

(i) by striking “as and when such filing is required under sections 2(a) and 2(b) hereof” and inserting “in any case in which such a filing is required under subsection (a) or (b) of section 2,”;

(ii) by striking “and 5” and inserting “and 5(a)”;

(iii) by striking the section designation and all that follows through “Each officer” and inserting the following:

“SEC. 7. LIABILITY OF OFFICERS.

“(a) IN GENERAL.—Each officer”.

(c) APPLICABILITY.—Section 9 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 619), is amended—

(1) by striking the section designation and heading and all that follows through “This Act” and inserting the following:

“SEC. 9. APPLICABILITY OF ACT.

“(a) IN GENERAL.—This Act”;

(2) by adding at the end the following:

“(b) LIMITED-CHARACTER ELECTRONIC MEDIA COMMUNICATIONS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, each disclosure, filing, and statement (including a statement for purposes of labeling under section 4) required to be made by a foreign principal under this Act (including regulations) shall be required to accompany any text, message, statement, or other communication of an agent of a foreign principal through a limited-character electronic medium, such as—

“(A) a banner ad; or

“(B) any other social media platform in which a character limitation normally would prevent such a communication from including a disclaimer or label on the same Internet webpage or electronic platform as the communication.

“(2) UNIVERSAL SYMBOL OR CHARACTER.—

“(A) IN GENERAL.—As soon as practicable after the date of enactment of this subsection, the Attorney General shall develop a universal symbol or character for use in indicating that a disclosure, filing, or statement under paragraph (1) is required to accompany a communication described in that paragraph.

“(B) PUBLICATION.—The Attorney General shall make publicly available the meaning of the character or symbol developed under subparagraph (A) for purposes of—

“(i) the enforcement of this Act; and

“(ii) public awareness, generally.

“(3) ENFORCEMENT.—The Attorney General may carry out such actions as the Attorney General determines to be necessary and appropriate to enforce the requirements of this subsection.”.

SA 1894. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE IV—DEFENSE SUPPLY CHAIN SECURITY

SEC. 6401. SHORT TITLE.

This title may be cited as the “Defense Supply Chain Security Act of 2021”.

SEC. 6402. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) rising risks associated with near-peer global competition to the diffuse United States supply chains of critical defense technologies in the United States defense industrial base pose an emergent threat; and

(2) should the President or the President's designee need to develop a plan of action to form voluntary agreements under section 708(c) the Defense Production Act of 1950 (50 U.S.C. 4558(C)), such plan or agreements must take into account emerging technology that is critical to United States national security, with respect to the following:

(A) Microelectronics.

(B) Advanced manufacturing.

(C) Hypersonics.

(D) Directed energy.

(E) Advanced communications.

(F) Unmanned aerial systems.

(G) Advanced robotics.

(H) Artificial intelligence and machine learning.

(I) Quantum technology.

(J) Other emerging technologies as they are developed.

SEC. 6403. JOINT COMMITTEE ON DEFENSE PRODUCTION.

(a) **AUTHORIZATION.**—There shall be a joint congressional committee known as the Joint Committee on Defense Production (in this section referred to as the “Joint Committee”).

(b) **MEMBERSHIP.**—

(1) **NUMBER.**—The Joint Committee shall be composed of 10 members, as follows:

(A) Three members appointed by the Majority Leader of the Senate.

(B) Two members appointed by the Minority Leader of the Senate.

(C) Three members appointed by the Speaker of the House of Representatives.

(D) Two members appointed by the Minority Leader of the House of Representatives.

(2) **VACANCIES.**—A vacancy in the Joint Committee—

(A) shall not affect the powers of the remaining members to execute the functions of the Joint Committee; and

(B) shall be filled in the same manner in which the membership was originally filled.

(3) **ALLOWANCES.**—The members of the Joint Committee shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Joint Committee, other than expenses in connection with meetings of the Joint Committee held in the District of Columbia during such times as Congress is in session.

(4) **CHAIR; VICE CHAIR.**—The Chair and Vice Chair of the Joint Committee shall alternate between one of the members appointed by the Majority Leader of the Senate and one of the members appointed by the Speaker of the House of Representatives, with the former serving as the Chair in each odd-numbered Congress and the latter serving as the Chair in each even-numbered Congress.

(c) **STAFF.**—

(1) **CHIEF OF STAFF.**—The Joint Committee shall have power to appoint and fix the compensation of the Chief of Staff of the Joint Committee.

(2) **PERMANENT STAFF.**—The Joint Committee shall have the power to employ and fix the compensation of a permanent staff to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair. The staff shall serve the Joint Committee jointly on a professional, non-partisan basis.

(3) **CLERICAL, STENOGRAPHIC, AND OTHER ASSISTANTS.**—The Joint Committee shall have power to appoint and fix the compensation of clerical, stenographic, and other assistants to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair.

(4) **ACCESS TO NATIONAL SECURITY AND INTELLIGENCE INFORMATION.**—The Chief of Staff and permanent staff of the Joint Committee shall have access to all national security and intelligence information necessary to facilitate the work of the Joint Committee under the direction of its Chair and Vice Chair.

(d) **PAYMENT OF EXPENSES.**—The expenses of the Joint Committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the Chair or the Vice Chair.

(e) **DUTIES.**—The Joint Committee shall—

(1) study the defense industrial base on a continuing basis, including reviewing progress achieved in the execution and administration of programs that contribute to

the security, reliability, and resiliency of the defense industrial base;

(2) upon request, aid the standing committees of Congress having legislative jurisdiction over any part of the programs authorized by this title;

(3) make periodic reports to the Senate and the House of Representatives concerning the results of its studies, together with such recommendations as it may consider appropriate;

(4) establish and maintain procedures for the preservation of critical technologies, as described in subsection (f);

(5) study the industrial mobilization plans and procedures of the Department of Defense to execute a military conflict scenario consistent with the scenario used by the Secretary of Defense for budgeting and defense planning purposes, with a particular focus on the integration of the private sector, government-owned and contractor-operated facilities, and the organic industrial base; and

(6) consult with the Assistant Secretary of Defense for Industrial Base Policy in the execution of duties covered under this paragraph.

(f) **TIERED SCHEDULE OF CRITICAL SUPPLY CHAINS.**—

(1) **IN GENERAL.**—In consultation with the Assistant Secretary of Defense for Industrial Base Policy, the Joint Committee shall establish and maintain a taxonomy for characterizing the defense industrial base and making recommendations to preserve critical technologies, identified as such by the Joint Committee.

(2) **PRESERVATION OF CRITICAL TECHNOLOGIES.**—At minimum, the Joint Committee shall make recommendations for the preservation of critical technologies in the following tiers:

(A) Tier 1: Supply chains, inputs, raw materials, and labor that should be sourced entirely from United States entities, without exception and in accordance with paragraph (3).

(B) Tier 2: Supply chains, inputs, raw materials, and labor that should be sourced either from United States entities or from entities owned and controlled by foreign nationals in United States allies and foreign nations that have entered into formal agreements with the Department of Defense, including through reciprocal defense procurement agreements or security of supply agreements.

(C) Tier 3: Supply chains, inputs, raw materials, and labor that should be sourced from any source other than a prohibited source, as defined under section 2533c of title 10, United States Code.

(D) Tier 4: Supply chains, inputs, raw materials, and labor that may be sourced without restriction.

(3) **TIER 1 SOURCING REQUIREMENT.**—Supply chains, inputs, raw materials, and labor designated Tier 1 pursuant to paragraph (2)(A) may not be sourced from United States entities or entities owned and controlled by foreign nationals in United States allies and foreign nations that are—

(A) designated as a foreign terrorist organization by the Secretary of State under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

(B) included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (commonly known as the SDN list);

(C) owned by, controlled by, or subject to the jurisdiction or direction of a government of a foreign country that is a covered nation (as defined under section 2533c(d) of title 10, United States Code);

(D) alleged by the Attorney General to have been involved in activities for which a conviction was obtained under—

(i) chapter 37 of title 18, United States Code (commonly known as the “Espionage Act”);

(ii) section 951 or 1030 of title 18, United States Code;

(iii) chapter 90 of title 18, United States Code (commonly known as the “Economic Espionage Act of 1996”);

(iv) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(v) section 224, 225, 226, 227, or 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275, 2276, 2277, and 2284);

(vi) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(vii) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(E) determined by the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, to be engaged in unauthorized conduct that is detrimental to the national security or foreign policy of the United States.

(g) **POWERS.**—The Joint Committee may hold hearings, sit and act at such times and places, require by subpoena (to be issued under the signature of the Chair or Vice Chair of the Joint Committee) or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such expenditures as it considers advisable.

(h) **UNITED STATES ENTITY DEFINED.**—In this section, the term “United States entity” means an entity—

(1) not less than 50 percent of the equity interest in which is owned by citizens or nationals of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(2) that maintains its headquarters and the majority of its production facilities in the United States.

SEC. 6404. COMPTROLLER GENERAL REPORT ON ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.

Not later than 2 years after the confirmation of the first Assistant Secretary of Defense for Industrial Base Policy under section 138 of title 10, United States Code, as amended by section 903 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the Joint Committee on Defense Production a report on the strategy, effectiveness, and responsibilities of the Assistant Secretary of Defense for Industrial Base Policy.

SA 1895. Mr. Kaine submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3114 and insert the following: